



Honorable August B. Landis
United States Bankruptcy Judge



Entered on Docket
March 06, 2023

Terri H. Didion, Assistant United States Trustee
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Attorney for TRACY HOPE DAVIS
United States Trustee for Region 17

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

SILVER STATE BROADCASTING, LLC,

AFFECTS THIS DEBTOR ☐

AFFECTS GOLDEN STATE
BROADCASTING, LLC ☐

AFFECTS MAJOR MARKET
RADIO, LLC ☐

AFFECTS ALL DEBTORS ☒

Debtor(s).

Case No. BK-21-14978-ABL

Chapter 11

Jointly administered with:

Golden State Broadcasting, LLC,
Case No. 21-14979-ABL

Major Market Radio, LLC,
Case No. 21-14980-ABL

Hearing Date: March 1, 2023

Hearing Time: 1:30 p.m.

Location: (669) 254-5252; Meeting ID
161 110 6049; Passcode 154251

ORDER ON UNITED STATES TRUSTEE’S MOTION TO APPOINT CHAPTER 11 TRUSTEE UNDER 11 U.S.C. § 1104(a), OR, IN THE ALTERNATIVE, TO CONVERT CASES TO CHAPTER 7 PURSUANT TO 11 U.S.C. § 1112(b); AND MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT AND RESERVATION OF RIGHTS [ECF NO. 405], AND CREDITOR MINCIN LAW, PLLC’S MOTION FOR APPOINTMENT OF CHAPTER 11 TRUSTEE [ECF NO. 393]

The Court, having considered the *United States Trustee’s Motion to Appoint Chapter 11 Trustee Under 11 U.S.C. § 1104(a), or, in the Alternative, to Convert Case to Chapter 7 Pursuant to 11 U.S.C. § 1112(b); and Memorandum of Points and Authorities in Support and Reservation of Right* [ECF No. 405] (“UST Motion”), and *Creditor Mincin Law, PLLC’s Motion for Appointment of Chapter 11 Trustee* [ECF No. 393] (“Creditor Motion”); having considered the *Declaration of Kristine R. Kinne in Support of the UST Motion* [ECF No. 406] and *Joinders* filed by VCY America, Inc. and W. Lawrence Patrick in support of the UST Motion and Creditor Motion [ECF Nos. 399, 400, 415, 416]; having considered all papers and pleadings filed regarding the UST Motion and Creditor Motion; having found that no party filed or otherwise presented an objection to the UST Motion or the Creditor Motion; having conducted a hearing with respect to the UST Motion and Creditor Motion on March 1, 2023 at 1:30 p.m. with Justin C. Valencia appearing on behalf of the United States Trustee, David Mincin appearing on behalf of Mincin Law, PLLC, Ogonna M. Brown appearing on behalf of VCY America, Inc., Nicholas A. Koffroth appearing on behalf of W. Lawrence Patrick, Thomas H. Fell appearing on behalf of Crown Castle MU, LLC, Daniel J. Kelly appearing on behalf of Bellaire Tower Homeowners Association, and Tracy M. O’Steen appearing on behalf of C & E Haas Development Company, LLC, and the Court having considered their respective arguments¹; having found that adequate

¹ Seth J. Adams and Edward R. Stolz were both present at the hearing. Mr. Adams noted on the record that he did not file a notice of appearance or a motion to be employed by the Debtors, and that no opposition was filed by the Debtors prior to the hearing. A draft order was emailed to Mr. Adams on March 2, 2023 at 10:48 a.m. (PST) before lodging it with this Court.

1 and proper notice and service of the UST Motion and Creditor Motion and of such hearing was
2 provided to parties-in-interest; having found the Court has jurisdiction over this core matter;
3 having stated its findings of fact and conclusions of law on the record at the conclusion of such
4 hearing, which are incorporated herein by reference in accordance with Fed. R. Civ. P. 52, made
5 applicable pursuant to Fed. R. Bankr. P. 7052 and 9014(c); and good cause appearing;

6
7 **IT IS HEREBY ORDERED** that the UST Motion and Creditor Motion to appoint a
8 Chapter 11 Trustee in the above-captioned Chapter 11 cases pursuant to 11 U.S.C. §§ 1104(a)(1),
9 (2) is **GRANTED**;

10 **IT IS FURTHER ORDERED** that the UST Motion requesting alternative relief to
11 convert the above-captioned cases to Chapter 7 pursuant to 11 U.S.C. §§ 1112(b)(1), (4) is
12 **DENIED** without prejudice; and

13
14 **IT IS FURTHER ORDERED** that the United States Trustee shall appoint a Chapter 11
15 Trustee pursuant to 11 U.S.C. § 1104(d) in the above-captioned cases forthwith.

16 **IT IS SO ORDERED.**

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19 Respectfully submitted,

20 TRACY HOPE DAVIS
21 UNITED STATES TRUSTEE, REGION 17

22 /s/ Justin C. Valencia
23 Justin C. Valencia
24 Trial Attorney for the United States Trustee
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LR 9021 CERTIFICATION

In accordance with LR 9021, the Attorney submitting this document certifies as follows:

_____ The Court waived the requirement set forth in LR 9021(b)(1) as to all parties with except to those set for the below.

_____ No party appeared at the hearing or filed an objection to the motion.

X I have delivered a copy of this proposed order to all Attorneys or unrepresented parties who appeared at the hearing or filed and served objections, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Approved/~~Disapproved~~/~~Failed to Respond~~

/s/ David Mincin

David Mincin, Esq.

Attorney for Mincin Law, PLLC

Approved/~~Disapproved~~/~~Failed to Respond~~

/s/ Ogonna M. Brown

Ogonna M. Brown, Esq.

Attorney for VCY America, Inc.

Approved/~~Disapproved~~/~~Failed to Respond~~

/s/ Nicholas A. Koffroth

Nicholas A. Koffroth, Esq.

Attorney for W. Lawrence Patrick

Approved/~~Disapproved~~/~~Failed to Respond~~

/s/ Thomas H. Fell

Thomas H. Fell, Esq.

Attorney for Crown Castle MU, LLC

Approved/~~Disapproved~~/~~Failed to Respond~~

/s/ Daniel J. Kelly

Daniel J. Kelly, Esq.

Attorney for Bellaire Tower Homeowners Association

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1 Approved/~~Disapproved/Failed to Respond~~

2 /s/ Tracy M. O'Steen

3 Tracy M. O'Steen, Esq.

4 Attorney for C & E Haas Development Company, LLC

5 _____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this
6 order with the motion pursuant to LR 9014(f), and that no party has objected to the form or
7 content of the order.

8 I declare under penalty of perjury that the foregoing is true and correct.

9 Dated: March 2, 2023

/s/ Justin C. Valencia

Justin C. Valencia

Trial Attorney for the United States Trustee